

# **EXHIBIT C(4)**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ROSALIE ROMANO; PATRICIA GLUECKERT,  
individually and on behalf of the Estate of WILLIAM G.  
GLUECKERT; WILLIAM P. GLUECKERT;  
FRANCISCO PASTOLERO and MARIA SPICER; JAYNE  
MANN; DENISE FLORIO; ROSS MEADOW and  
ARLENE MEADOW; JACOB KHOLODNY and BELLA  
KHOLODNY; FLO RAUCCI, individually and on behalf of  
the Estate of SALVATORE RAUCCI; DANIEL  
GALLANTE and JENNIFER GALLANTE; and TERESA  
MEADE, individually and on behalf of all others similarly  
situated; and MARYANN HERBERT; CHRISTINA  
ANDREWS-SALES; CHRISTOPHER CAGNA; JACKIE  
LIEBERMAN; CATHERINE LEWONKA; EUGENE  
CONNOLLY; VIVIANE BLICKENSDERFER; DANA  
BLICKENSDERFER; GLENN FALINO and MARCIA  
FALINO; and MICHAEL FALINO, individually,

Case No: 16-cv-5760

HON. GARY R. BROWN

*Plaintiffs,*

*-against -*

NORTHROP GRUMMAN CORPORATION; NORTHROP  
GRUMMAN SYSTEMS CORPORATION; and TOWN OF  
OYSTER BAY

*Defendants.*

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**PLAINTIFFS' SECOND SET OF DOCUMENT DEMANDS TO  
DEFENDANTS, NORTHROP GRUMMAN CORPORATION  
AND NORTHROP GRUMMAN SYSTEMS CORPORATION**

Pursuant to the Federal Rules of Civil Procedure 34, and the local rules of the United States District Court for the Eastern District of New York, Plaintiffs, by and through the undersigned attorneys, hereby request that Defendants, Northrop Grumman Corporation and Northrop Grumman Systems Corporation ("Defendants" or "Grumman") respond to Plaintiffs' Second Set of Documents Demands.

## I. Definitions

- A. “Contaminants” refers to chemicals present in products and byproducts delivered to, stored, used for production operations, generated, treated, released, discharged, emitted, and disposed at the Site including, but not limited to, chlorinated solvents (e.g., trichloroethylene), metals (e.g., hexavalent chromium), etc.
- B. “Dump” refers to any location where refuse, waste, or other discarded materials were placed, either temporarily or permanently. A site used to dispose of waste without environmental controls. The term “Dump” shall include locations where waste materials were deposited at the Site.
- C. “Emissions” refers to potential and actual process and fugitive discharges into the atmosphere of gases, vapors, mists, aerosols, and particulate matter from, but not limited to, buildings, windows and doors, equipment, cooling towers, process areas, stacks and vents, tanks, vats, vessels, pipelines, valves and flanges, sumps and sewers, skips, tank wagons, tank trucks, and surface areas (dumps, landfills, drying beds, recharge basins), etc.
- D. “Facility” includes, but is not limited to, plants and appurtenant buildings, below-ground and above-ground structures, machinery and equipment, utilities, tanks and vessels, pipelines and sewers, railroads and sidetracks, loading/unloading areas, storage areas, dumps and landfills, drying beds and recharge basins, etc.
- E. “Grumman” refers to Grumman Corporation, Grumman Aerospace Corporation, Northrop Grumman Corporation and/or Northrop Grumman Systems Corporation, including any of their successors, and its officers, directors, employees, partners, corporate parents, subsidiaries, affiliates, agents, counsel, representatives and predecessors.
- F. “Grumman Facility” refers to all man-made improvements built, installed, or established historically by Grumman for aerospace manufacturing and related operations in Bethpage, Nassau County, New York, beginning in around 1936 and continuing through approximately 1997.
- G. “NWIRP Facility” refers to the former Naval Weapons Industrial Reserve Plant (NWIRP) in Bethpage, Nassau County, New York, including all man-made improvements built, installed, or established historically for aerospace manufacturing and related operations, beginning in around 1933 and continuing through approximately 1998.

- H. “NCDOH” refers to the Nassau County Department of Health.
- I. “NYSDEC” refers to the New York State Department of Conservation.
- J. “NYSDOH” refers to the New York State Department of Health.
- K. “Processes” refers to the aerospace manufacturing processes utilized at the Site including, but not limited to, machining, shaping, heat treating, degreasing, descaling, de-oxidizing, etching, anodizing, plating, passivating, cleaning, painting, bonding, sealing, stripping, rework, touch-up, wastewater, waste treatment and storage, etc.
- L. “Site” refers to both the Grumman Facility, NWIRP Facility, and the area currently known as Bethpage Community Park (former Grumman property) located in Bethpage, Nassau County, New York.
- M. “USEPA” refers to the United States Environmental Protection Agency.
- N. “Waste” refers to unwanted materials or byproducts left over from a manufacturing process or other activity that occurred at the Site. Specifically, waste includes all unwanted and byproduct materials generated at the Site at any point in the process historical manufacturing operations at the Site.

## **II. Records Requested for Production**

### Facilities Information, Production Records and Chemical Use Records

1. All maps, plot plans, engineering drawings, as-builts, process and instrumentation diagrams, schematics, topographic maps, aerial photographs, and other various graphical illustrations of the Grumman and NWIRP Facilities.
2. All data and documents listing and/or describing features of the Site, including plant buildings, building designations, area designations, departments, production areas, operations areas, above-ground and below-ground equipment, storage areas, waste accumulation areas, etc.
3. All data and documents listing and/or describing plant/building specifications including, but not limited to, building design, type, capacity, height, dimensions, floor plans, HVAC systems, cooling systems, dates of construction/modification/replacement, physical features, inventories, period of use, historical use, velocity discharge, locations of vents, outlets, inlets,

sizes, shapes, volume, function and use of each building and unit and any changes with time, etc.

4. All data and documents describing major changes in Processes, equipment, and operating procedures used at the Site concerning aerospace manufacturing operations, by-products and waste handling, chemical recovery, wastewater processing and treatment, flaring and/or venting of process emissions, air pollution control devices, and other components of manufacturing.
5. All data and documents describing the production chemicals used by Grumman at the Site including, but not limited to, purchase records, storage records, usage inventories, etc. For example, a list of production chemicals used by Grumman was furnished to the Nassau County Department of Health on August 12, 1977.

Cooling Water and Wastewater Operations

6. All data and documents concerning cooling water systems and equipment (e.g., cooling towers, comfort cooling towers, etc.) at the Site including, but not limited to, locations, type, period of use, historical use, height, number of riser/fan cells, dimension, airflow capacity, recirculating water rate, etc.
7. All data and documents concerning operation and monitoring, evaluation, and assessment of cooling towers including, but not limited to, operating parameters, types of chromium-based water treatment chemicals used, quantities and period of use, sampling, drift testing, etc.
8. Documents concerning the sources and flow rates of various wastewater influents (e.g., sludges, treated wastewater, cooling water, etc.) and the Processes and facilities involved in the generation, storage, treatment and disposal (e.g., recharge basins) of these waste streams.
9. All data and documents relating to permitting, wastewater treatment and treated effluent disposal at the Site, monitoring, analytical testing of wastewater streams (e.g., sludges, treated wastewater, cooling water, etc.), and other compliance requirements in accordance with State and/or Federal regulations (e.g., National Pollutant Discharge Elimination System).

Waste Generation, Handling, Treatment and Disposal

10. All data and documents describing on-site waste treatment (e.g., solvent recovery) for any Contaminants and other hazardous materials generated at the Site.
11. All data and documents describing waste streams generated at the plant, waste handling procedures, on-site and off-site landfilling or dumping locations, waste shipments and transporters, waste accumulation areas, methods of shipment, quantities stored and disposed on-site or shipped off-site, waste manifests, bills of lading, etc.
12. All data and documents describing waste handling procedures, accumulation, housekeeping, spill containment, emergency response, disposal of accumulated wastes, etc.
13. All data and documents regarding environmental incidents, defined as events involving leaks, spills, failures, breaches, or other releases or emissions of Contaminants at the Site.

Emissions Information

14. All data and documents regarding potential and actual sources of and emissions from manufacturing activities at the Site including, but not limited to, materials receiving, machining and mechanical processing, maskant application, chemical milling, heat treating, sealants, adhesive bonding, cleaning, metal finishing, coating application, coating removal, electrodeposition, composites processing, testing, waste treatment, chemical recovery, cooling tower operations, wastewater operations, etc.
15. All data and documents regarding maintenance, operating procedures, testing and evaluations relating to controlled, fugitive, and uncontrolled Emissions from the Site.
16. All data and documents regarding the dates at which rerouting, process re-engineering, or emissions control devices were proposed and/or implemented specifically to address emissions sources from any point of discharge at the Site.
17. All data and documents regarding emissions factors or source terms that pertain to equipment and/or areas with Emissions at the Site.
18. All data and documents identifying operating parameters of regulated emissions units including, if applicable, equipment make and model; design capacity; operating

specifications; effluent, stack or vent gas temperature and flow rate; release stack height; stack diameter; and other operating/monitoring parameter(s) applicable to the unit.

19. All data and documents concerning meteorological information relevant to the Site including, but not limited to, records obtained from weather station(s) at the Site, weather stations located near the Site, and meteorological data purchased from vendors.
20. All data and documents concerning emissions estimates including, but not limited to, calculations, assessments, evaluations and/or other considerations of stack testing results, emission factors, or other analytical data or modeling involving Emissions from the Site.
21. All documents and data describing process equipment and operating conditions, emission factors, emissions evaluation, monitoring and testing of emissions, and air dispersion modeling for all regulated and otherwise operating emissions sources (e.g., cleaning, metal finishing, coating application, etc.).

Emissions Testing, Air Sampling, and Evaluations

22. All data and documents regarding evaluations of Emissions from the Site including, but not limited to, sampling of plant atmospheres, audits and inspections, recommendations to reduce emissions, requirements and cost estimates, emissions testing, evaluation of pollution control devices, evaluations of ventilation systems, etc.
23. All data and documents describing maintenance and testing operations and procedures relating to controlled, fugitive, and uncontrolled emissions at the Site.
24. All data and documents regarding ambient air testing, workplace air monitoring and/or sampling conducted at the Site or off-site within the surrounding community.
25. All data and documents concerning emissions testing for stacks, vents, or other equipment, buildings, ventilation systems, or other sources of air Contaminants.
26. All data and documents describing the composition and testing of Contaminants in coatings used in the manufacturing process at the Site including, but not limited to, base coats, primers, top coats, etc.
27. All data and documents describing the speciation of chromium (e.g., hexavalent chromium) for Emissions associated with chromium-containing coatings or solutions used at the Site.

28. All data and documents describing Processes and locations of equipment (e.g., degreasers), operations areas (e.g., cleaning), and storage and treatment areas that involved chlorinated solvents (e.g., trichloroethylene).
29. All data and documents concerning any screening or modeling of Emissions from the Site including, but not limited to, Contaminants, criteria air pollutants, and other unregulated pollutants.
30. All data and documents relating to the USEPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) program including, but not limited to, information submitted to USEPA in response to Section 114 Questionnaire(s), emissions estimates, calculations, modeling, etc.
31. All data and documents relating to the Site concerning USEPA's National Emergency Planning and Community Right-to-Know Act (EPCRA) and Toxic Release Inventory (TRI) program including, but not limited to, annual emissions estimates for hazardous air pollutants and calculations used to develop estimates (i.e., Form R, Basis of Estimate).
32. All data and documents relating to the Site for permitting, monitoring, reporting, and compliance with the Clean Air Act (CAA) and state air pollution control regulations, standards, programs, rules, and state administration of delegable provisions of the CAA.
33. All data and documents relating to any notices to comply and/or violations of federal, state, or local regulations, statutes, ordinances or other directives concerning Emissions at the Site.

Occupational Hygiene Programs and Exposure Evaluations

34. All data and documents regarding industrial hygiene programs, worker exposure evaluations, personal air monitoring devices and testing records, and other activities conducted at the Site to investigate, measure, assess, evaluate, mitigate, and control Contaminants.
35. All data and documents evidencing releases of gases, fumes, vapors, mists, and/or particulates into the workplace and/or atmosphere including, but not limited to, laboratory tests, simulated field condition tests, modeling, and/or any other environmental testing.
36. All data and documents referencing research papers, studies, or other publications regarding industrial hygiene, toxicology, health and safety protocols, and allowable and/or recommended exposure levels for Contaminants.

37. All data and documents describing injuries and illnesses, health complaints, medical monitoring, and medical treatments for Grumman employees that performed work in areas where Contaminants were stored, handled, used for production activities, disposed, and treated.
38. All data and documents concerning any health evaluations, health consultations, human health risk assessments, or other studies relating to Contaminants present at the Site or at off-site locations in the community resulting in full or in part from Emissions at the Site.
39. All data and documents evidencing complaints and/or concerns about health and/or safety hazards at the Site related to the presence of Contaminants.
40. All data and documents associated with Grumman's communications and transmittals with any health and safety organizations including, but not limited to, the Air Hygiene Foundation, American Society for Testing and Materials, Industrial Health Foundation, Industrial Hygiene Foundation, National Safety Council, etc.
41. All data and documents associated with any studies commissioned by and/or sponsored by Grumman concerning the health effects of exposure to Contaminants at the Site including raw chemicals, wastes, wastewater, and/or airborne Emissions escaping from any Processes.

Internal Communications and Transmittals with Municipalities, Agencies and Other Organizations

42. All data and documents that have been generated or received by Grumman that refer to any concerns, problems, issues of potential or possible problems associated with Emissions from the Site.
43. All data and documents that have been generated or received by any person employed by Grumman that has expressed concern about the environmental impact of Emissions from the Site.
44. All data and documents relating in any way to Grumman's internal communications about health and safety hazards and Emissions associated with Contaminants including, but not limited to, communications to or from Grumman departments such as: materials engineering, facilities engineering, environmental operations, facilities maintenance, health and safety, industrial hygiene, medical, legal, and public relations, etc.

45. All data and documents associated with Grumman's communications and transmittals with the Town of Oyster Bay and the municipalities Bethpage, Plainview and Hicksville regarding Emissions from the Site and including, but not limited to, letters, memoranda, notes, permits, plans and drawings, reports, and other information.
46. All data and documents associated with Grumman's communications and transmittals with the Bethpage Fire Department, the Plainview Fire Department and Hicksville Fire Department including, but not limited to, letters, memoranda, notes, maps, plans and drawings, hazardous materials business plans, and information on chemical storage, equipment, buildings, etc.
47. All data and documents associated with Grumman's communications and transmittals with the New York State Department of Health (NYSDOH), Nassau County Department of Health (NCDOH), and any other public health departments or health officials regarding Emissions from the Site and including but not limited to letters, memoranda, notes, permits, plans and drawings, reports, and other information.
48. All data and documents associated with Grumman's communications and transmittals with the New York State Department of Environmental Conservation (NYSDEC) regarding Emissions from the Site and including, but not limited to, letters, memoranda, notes, permits, plans and drawings, reports, and other information.
49. All data and documents associated with Grumman's communications and transmittals with the United States Environmental Protection Agency (USEPA) regarding Emissions from the Site and including, but not limited to, letters, memoranda, notes, permits, plans and drawings, reports, and other information.
50. All data and documents associated with Grumman's communications and transmittals with the United States House of Representatives, Department of Defense, United States Navy, United States Air Force, and/or National Aeronautics and Space Administration regarding Emissions from the Site and including, but not limited to, letters, memoranda, notes, permits, plans and drawings, reports, and other information.
51. All data and documents associated with Grumman's communications and transmittals with trade associations such as Aerospace Industries Association, Air Transport Association of America, Halogenated Solvents Industry Alliance, National Paint & Coatings Association, Paint Remover Manufacturers Association, etc. regarding regulatory compliance and/or

Emissions from the Site and/or from the aerospace manufacturing and rework business sector including, but not limited to, letters, memoranda, notes, permits, plans and drawings, reports, and other information.

52. All data and documents associated with Grumman's communications and transmittals with other aerospace manufacturing facilities (e.g., Grumman, Lockheed, Martin Marietta, McDonnell Douglas, etc.) relating to Emissions of Contaminants.

Dated: Melville, New York  
November 20, 2020

**NAPOLI SHKOLNIK PLLC**  
*Attorneys for Plaintiffs and the Proposed Class*



By: \_\_\_\_\_

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